

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.310

National Policy

Effective Date:
7/16/15

Cancellation Date:
7/16/16

SUBJ: Removal of a Limitation From a Pilot Certificate by Designees

1. Purpose of This Notice. This notice provides guidance to Federal Aviation Administration (FAA) operations inspectors on authorizing designees to remove the limitations placed on a pilot certificate. This notice identifies the additional designee functions and the associated training requirements for removing these limitations. The additional functions can expand the scope of designee authority when performing delegated functions in accordance with Title 14 of the Code of Federal Regulations (14 CFR) part 61. This notice augments guidance found in the current editions of FAA Order 8900.1, Flight Standards Information Management System (FSIMS), Volume 5, Chapters 1, 2, and 3; and FAA Order 8900.2, General Aviation Airman Designee Handbook.

2. Audience. The primary audience for this notice is operations inspectors responsible for the approval and surveillance of Training Center Evaluators (TCE), aircrew program designees (APD), and Designated Pilot Examiners (DPE). The secondary audience includes other Flight Standards Service (AFS) personnel in certificate-holding district offices (CHDO) and Flight Standards District Offices (FSDO), FAA branches and divisions in the regions, and FAA headquarters (HQ) AFS personnel.

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through FSIMS at <http://fsims.avs.faa.gov>. Operators can find this notice on the FAA Web site at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Scope and Limitations. The use of this notice is mandatory for those inspectors authorizing designees with functions identified in this notice.

5. Definition. For the purposes of this notice, the term “designee” refers to a DPE authorized to issue a pilot certificate, a TCE authorized to issue a pilot certificate in accordance with a 14 CFR part 142 approved training program, or an APD authorized to issue a pilot certificate in accordance with an approved 14 CFR part 121 or 14 CFR part 135 training program.

6. Background. In an effort to further improve the efficient use of FAA inspector resources, HQ personnel assessed currently available designee functions and the potential for adding additional functions. The review determined that limited expansion of designee functions is

practical, will maintain or enhance safety, and would be in accordance with the provisions of the regulations. Available designee functions will now include the authority to remove a limitation from the same grade of pilot certificate (e.g., private, commercial) the designee is authorized to issue. For example, the following limitations may be removed by an authorized designee:

- Removal of the limitation “Holder does not meet the pilot in command aeronautical experience requirements of ICAO,” as required by § 61.159(d) or § 61.160(h).
- Removal of the limitation “Restricted in accordance with 14 CFR 61.167,” as required by § 61.160(g).
- Removal of the limitation “The [name of the additional type rating] is subject to pilot in command limitations,” as required by § 61.64(f)(2).

7. Designee Requirements. The qualification and training requirements for each type of designee authorized to remove limitations from a pilot certificate vary. In order to remove a restriction from a pilot certificate, the designee must be authorized to issue that same grade of pilot certificate and must have received training on evaluating applicants to determine eligibility for removal of a limitation. For example, for a designee to be eligible to remove a limitation from an airline transport pilot (ATP) certificate in the airplane category with a multiengine land rating, the designee must be authorized to issue an ATP certificate in the airplane category with a multiengine land rating and have received training on determining eligibility and the process for removal of the limitation. The following are additional requirements for specific types of designees:

- A DPE may remove a limitation from a certificate he or she is authorized to issue provided verification of the minimum eligibility requirements can be made and the pilot has been evaluated by the DPE on the appropriate tasks, as required.
- A TCE may only remove a limitation as authorized by curricula approved by the Training Center Program Manager (TCPM) in accordance with part 142.
- An APD may only remove a limitation as authorized in the part 121 or 135 training program, as approved by the principal operations inspector (POI).

8. Designee Removal of ATP Certificate Limitations Issued in Accordance with §§ 61.159 and 61.160.

a. Designated Pilot Examiners. A DPE authorized to issue an ATP certificate may remove the limitations by verifying the pilot meets the minimum age and aeronautical experience requirements. The applicant only needs to present satisfactory evidence that he or she has met the age requirement of § 61.153(a)(1) and the aeronautical experience requirements of § 61.159, as applicable (refer to § 61.160(g) and (h)). The applicant must complete section III—Record of Pilot Time, on FAA Form 8710-1, Airman Certificate and/or Rating Application Supplemental Information and Instructions, to be issued an unrestricted ATP certificate.

b. Training Center Evaluators. A TCE may only remove limitations as authorized in curricula approved by the TCPM in accordance with part 142. A TCE is not authorized to remove an ATP limitation based solely on satisfactory presentation of evidence from the airman. For a

TCE to remove a limitation, it must be done following completion of an approved training curriculum under part 142, and the following conditions must be met:

- The applicant must successfully complete the entire approved curriculum, which contains provisions for removal of the limitation;
- The procedure to remove the limitation must be part of an approved curriculum, which includes both ground and simulator/flight training;
- The approved procedure to remove the limitation cannot be a standalone training curriculum, but must be part of an existing training curriculum such as initial, recurrent, upgrade, etc.; and
- The TCE must follow the training center's procedures, which must be described in the approved curriculum.

c. Aircrew Program Designees. An APD may only remove limitations as authorized in the part 121 or 135 training program, as approved by the POI. An APD is not authorized to remove an ATP limitation based solely on satisfactory presentation of evidence from the airman. For an APD to remove a limitation, it must be done following completion of an approved training curriculum under parts 121 or 135. The following conditions must be met:

- The applicant must successfully complete the entire approved curriculum, which contains provisions for removal of the limitation;
- The procedure to remove the limitation must be part of an approved curriculum, which includes both ground and simulator/flight training;
- The approved procedure to remove the limitation cannot be a standalone training curriculum, but must be part of an existing training curriculum such as initial, recurrent, upgrade, etc.; and
- The APD must follow the air carrier's procedures, which must be described in the approved curriculum.

9. Action. Operations inspectors responsible for the approval and surveillance of designees should be aware of the limitation removal requirements for authorized designees and ensure the designees have received training if they intend to remove limitations from a pilot certificate. Operations inspectors responsible for the approval and surveillance of TCEs and APDs must also ensure that the necessary curricula have been revised in accordance with this notice if the TCEs and APDs intend to remove limitations from a pilot certificate.

10. Disposition. We will incorporate the information in this notice into Order 8900.1, Order 8900.2, or Order 8000.95, Designee Management Policy, as appropriate, before this notice expires. Direct questions concerning the information in this notice to the Air Transportation Division (AFS-200) at 202-267-8166.

ORIGINAL SIGNED by

/s/ John Barbagallo
Deputy Director, Flight Standards Service